

## **SOUND PERMIT APPLICATION**

Since citizens live in close proximity to each other and noise sensitivity can be an issue, sound permits are no longer issued in residential areas. However, please be aware that the City regulates unreasonable noise, pursuant to Section 38-441 of the Thornton City Code (Code), which is attached.

Sound permits may be obtained if you plan on having amplified sound in connection with an event at a City park or any commercially-zoned location within the City.

### **Monitoring Requirements:**

#### **Commercially-Zoned Location**

Applicants must attach written documentation to their application that a person certified to use noise metering equipment will be present during the event to measure noise output and to ensure compliance with the noise level standards contained in Section 38-441(c), Table A, of the Code.

#### **City Parks**

Applicants must comply with City Code Section 38-441, however, written documentation that a person certified to use noise metering equipment isn't necessary.

You may fill out an application online and email it to [clerk@thorntonco.gov](mailto:clerk@thorntonco.gov) or mail it to Thornton City Clerk's Office, 9500 Civic Center Drive, Thornton, CO 80229. If you have questions, please call 303-538-7230.



# SOUND PERMIT APPLICATION

**Chapter 38, Article X**  
 City Clerk's office 303-538-7230  
 9500 Civic Center Drive  
 Thornton, Colorado 80229-4326

- Application must be submitted **AT LEAST 5 days** prior to event.
- Except for events in City parks, written documentation must be attached that a person certified to use noise metering equipment will be present during the event to measure and insure compliance of sound levels with the Code.
- Sound permits are not issued in residential areas, however the City regulates unreasonable noise.

<b>Name of Applicant:</b> <small>(corporation, partnership, LLC etc.)</small>			
Address, City, State, and Zip:			
Name of Contact Person: <small>(if different than applicant)</small>		<b>Contact Phone:</b>	

**Date of Event and Hours of Use – ONLY between the hours of 7:30 a.m. and 10:00 p.m.**

<b>Date:</b>	<b>From:</b>	<b>To:</b>
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**Complete the following with regard to event location and equipment that will be used:**

<b>Location of Event:</b>		<b>Number of people attending:</b>
<b>Address of Event:</b>		
<b>Description of Event:</b>		
<b>Description of sound equipment:</b>		
<b>Name of Equipment Owner/Operator:</b>		<b>License Number of Sound Truck:</b>
<b>Address, City, State, and Zip:</b>		<b>Phone:</b>

- Pursuant to Chapter 38, Article X, Section 38-441(10) of the Thornton City Code: the sound amplifying equipment may be operated ONLY between the hours of 7:30 a.m. and 10:00 p.m., on the dates specified.
- Permitted events in City parks are exempt from noise level standards contained in Section 38-441(c), Table A, but shall not create unreasonable noise.

I declare under the penalties of perjury that this permit application has been examined by me and to the best of my knowledge and belief is true, correct and complete. I also declare that I have been given a copy of Chapter 38, Article X, Division 3 of the Thornton City Code pertaining to the operation of Sound Amplification Equipment.

<b>Signature of Applicant:</b>	<b>Date:</b>
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**FOR CITY'S USE ONLY**

City Clerk's Office Approval:	Date:
Community Services Approval <small>(required for any City park permits):</small>	Date:

## Sec. 38-440. - Purpose.

- (a) The purpose of this Division 3 is to provide for uniform environmental regulations for the control of noise, humidity and heat, glare, vibration, dust, weeds and brush in recognition that:
- (1) The quality of life in a community is enhanced when free from the nuisances created by these environmental conditions;
  - (2) The excessive exposure to these environmental conditions can adversely affect the health and safety of the citizens of the city; and
  - (3) The establishment and enforcement of reasonable standards is more effective than waiting until individual citizens have to complain of adverse impacts and therefore contributes to the general welfare of the community.
  - (4) The noise regulations contained in Section 38-441 are intended to be comprehensive and shall take precedence over and supersede any existing ordinance, regulation, standard, condition or use restriction the application of which would render Section 38-441 of no force or effect or which is in conflict with it, and supersedes any hours of delivery that are specified in any other ordinance or resolution.
- (b) Any city project that the city manager determines is necessary to maintain or protect public amenities, facilities or infrastructure and thereby promote the public health, safety, and welfare shall be exempt from the environmental regulation contained in Sections 38-441 through 38-444.

(Ord. No. 2550, § 6, 7-12-99; Ord. No. 2766, § 1, 3-25-03; Ord. No. 2953, § 4, 8-8-06)

## Sec. 38-441. - Noise disturbances prohibited.

(a) *General provisions.*

- (1) It shall be unlawful for any person or entity to knowingly, willfully or recklessly make, permit, cause to be made, or continue any noise from whatever source which noise is projected in such a manner that by its sound level and duration constitutes an unreasonable noise within the city. For purposes of this Section 38-441, code compliance officers and police officers shall apply but need not be limited to applying, the following factors to determine whether a noise constitutes a violation of this section, as follows:
  - a. The time of day;

- b. The size of any gathering of persons creating or contributing to the noise;
  - c. The presence or absence of noise or sound amplification equipment;
  - d. Sound pressure levels measured on a sound level meter of standard design and operation on the A network, which indicate the noise level is in violation of the sound level standards contained in subsection (c), Table A, herein; and
  - e. Any other factors tending to show the magnitude and/or disruptive effect of the noise.
- (2) It shall be unlawful for any person or entity to knowingly, willfully, or recklessly cause or permit or to continue any noise when:
- a. The noise is plainly audible at a distance of more than 25 feet from a vehicle in any right-of-way; or
  - b. The noise is plainly audible more than 25 feet from its source including, but not limited to, any vehicle within any public place during the hours when businesses are open to the public;
  - c. The noise is plainly audible within any public right-of-way more than 25 feet from its source.

Such circumstances and such facts presented shall constitute prima facie evidence and shall be deemed a per-se violation of this section.

- (3) In addition to subsection (a)(1), the following are declared to be noises or sounds which by their sound level and duration disturb, or tend to disturb, the repose of the community and which shall constitute a violation of this subsection (a)(3); provided, however, that the following list is not a limitation of subsection (a)(1) of this section and is not inclusive:
- a. Bells and chimes or any device for the production or reproduction of the sound of bells or chimes operated between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day and is in violation of the sound level standards contained in subsection (c), Table A herein.
  - b. The use or operation of any type of audio or video system, noisemaker or loudspeaker or public address system operated or used on public or private property for any purposes including, but not limited to, vending, advertising, announcements or notifications, or any device used for transmitting music or for giving instructions, talks or lectures to any assembly of persons which

results in a noise which is plainly audible across the property line of any property used for residential purposes, unless otherwise permitted by subsection (c)(10) herein.

- c. Any noise that is plainly audible through a common wall, ceiling or floor of a mixed-use building or multi-dwelling building.
- d. Any animal or bird which by frequent or habitual howling, barking, yelping, meowing, squawking, squealing or other noise, creates a plainly audible sound.
- e. Any steam engine, stationary internal combustion engine, air compressor, motorboat, motor vehicle or other power device which is not equipped with a muffler in good working order that is in constant operation and properly maintained and which use is in violation of the sound level standards contained in subsection (c), Table A, except as provided in subsection (b)(7) herein. No such muffler or exhaust system shall be modified or used with a cutoff, bypass, or similar device.
- f. Operating a vehicle that is improperly loaded or so out of repair that it creates noise in excess of the sound level standards contained in subsection (c), Table A, herein.
- g. Operation of a dynamic braking system device that is without a muffler in good working order.
- h. Loading operations:
  1. The loading or unloading operations conducted at anytime, which operations include but are not limited to opening or handling boxes, crates, containers, or other objects within or from a truck or otherwise, in such a manner as to create a noise or sound which is in violation of the sound level standards contained in subsection (c), Table A, herein.
  2. Loading of any garbage, trash or compactor truck or any other similar type vehicle, when:
    - i. The loading, unloading or handling is conducted within a residentially zoned district or within 300 feet of any residential home, hotel or motel building,
    - ii. Is between the hours of 10:00 p.m. and 7:00 a.m., and
    - iii. When such loading or unloading creates noise in violation of the sound level standards contained in subsection (c), Table A, herein.

- (4) Areas around public or private schools, churches or courthouses while such are in use, hospitals, nursing homes, or homes for the aged are especially sensitive to noise. When provided with conspicuous signs displayed on adjacent or surrounding streets, an area containing one of these uses may be declared a quiet zone.

(b) *Exclusions.*

- (1) Activities directly connected with the abatement of an emergency, including, but not limited to, construction activities and authorized emergency vehicles when such vehicles are responding to an emergency call or when in pursuit of an actual or a suspected violator of the law or when responding to but not returning from a fire, are excluded from the provisions of this section.
- (2) Bells and chimes or any device for the production or reproduction of the sound of bells or chimes from any church, school, or clock, operated between the hours of 7:00 a.m. and 10:00 p.m., are excluded from the provisions of this section.
- (3) Firework displays, which otherwise comply with this Code, are excluded from the provisions of this section.
- (4) Activated burglar alarms, which otherwise comply with this Code, are excluded from the provisions of this section.
- (5) Operations that create sound related to the care and maintenance of public or private golf course facilities between the hours of 5:30 a.m. and 7:00 p.m., are excluded from the provisions of this section.
- (6) Snow removal equipment operated between the hours of 5:00 a.m. and 9:00 p.m. on any day on which snow has fallen in the prior 24 hours at the location where such equipment is being used are excluded from the provisions of this section. Government operated snow removal equipment is excluded from the provision of this section regardless of the time of day.
- (7) Any power generator providing emergency electrical power at any government owned or operated facility or any hospital or emergency health care facility where the loss of electrical power poses an immediate risk is excluded from the provisions of this section. Any routine testing is also excluded only if such testing is performed between 7:00 a.m. and 7:00 p.m. and conducted in the minimum amount of time designated for routine testing by the manufacturer's guidelines.

(c) *Noise sound level standards.*

- (1)

Sound pressure levels shall be measured at the approximate location of the property line or, for motor vehicles, at least 25 feet from the motor vehicle, at a height of at least four feet above the immediate surrounding grade, on a sound level meter of standard design and operated on the A network.

- (2) The maximum permissible sound pressure levels of any continuous source of sound is given in subsection (c), Table A, Sound Pressure Level Limits. Sound pressure levels in excess of the limits for the district in which the source is located are considered an unreasonable noise and are prohibited.

Table A. Sound Pressure Level Limits

District	dB(A) During the Day, 7:00 a.m. to 7:00 p.m.	dB(A) During the Night, 7:00 p.m. to 7:00 a.m.
All Residential Districts	55	50
Nonresidential Districts Except Industrial	60	55
Industrial Districts	80	75

- (3) The repairing, rebuilding or testing of any type of motor vehicle and the operation of machinery, equipment, pump, air conditioning apparatus or similar mechanical device shall be subject to the maximum permissible sound pressure levels in subsection (c), Table A, for the district in which the source is located.
- (4) The standards in subsection (c), Table A, do not apply to any sources of sound that have their own set of standards in this section.
- (5) Construction activities as defined in Section 38-1 are subject to the following requirements:
  - a. Construction activities are prohibited within any zoning district between the hours of 9:00 p.m. and 6:00 a.m. unless specifically authorized in paragraph (5)c or (5)d, below.
  - b. Construction activities occurring between 6:00 a.m. and 9:00 p.m. shall comply with the sound pressure level limits for industrial districts given in subsection (c), Table A.
  - c.

Construction activities in industrial districts are allowed at all times of the day, subject to the sound pressure level limits for that district in subsection (c), Table A .

- d. Construction activities associated with the development of property that has been authorized for administrative development review in Section 18-58 of the Code, and which are located at least 400 feet from an occupied dwelling unit, may occur at any time of day and shall comply with the sound pressure level limits in subsection (c), Table A.
- (6) Within enclosed places of public entertainment, when individuals are subject to sound levels and exposure durations exceeding those shown in subsection (c), Table B, all feasible administrative or engineering controls shall be utilized to protect against the effects of such noise exposure.

Table B

Exposure Duration Per Day (hours)	Sound Level dB(A) Slow Response
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
0.25 or less	115

- (7) It shall be unlawful to operate or permit to be operated on private property or in the public right-of-way any domestic or commercial power equipment unless in compliance with the following standards:
- a. The operation of domestic or commercial power equipment is prohibited between the hours of 9:00 p.m. and 6:00 a.m., unless authorized in paragraph (7)d or (7)e, below.
  - b. The operation of any commercial power equipment which exceeds a sound pressure level of 88 dB(A) between the hours of 6:00 a.m. and 9:00 p.m. is prohibited.



- c. The operation of any domestic power equipment which exceeds a sound pressure level of 80 dB(A) between the hours of 6:00 a.m. and 9:00 p.m. is prohibited.
  - d. The operation of domestic or commercial power equipment is allowed at all times of the day in industrial districts.
  - e. The operation of domestic or commercial power equipment is allowed at all times of the day when associated with the development of property that has been authorized for administrative development review in Section 18-58 of the Code, when the sound pressure level does not exceed 88 dB(A), and when the operation of the equipment occurs at least 400 feet from an occupied dwelling unit.
- (8) It shall be unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved any motor vehicle which emits a noise that exceeds the following sound pressure levels:
- a. Eighty dB(A), for any motor vehicle with a manufacturer's gross vehicle weight less than 6,000 pounds or any combination of motor vehicles towed by such a motor vehicle; or
  - b. Eighty-eight dB(A), for any motor vehicle with a manufacturer's gross vehicle weight more than 6,000 pounds or any combination of motor vehicles towed by such a motor vehicle; except
  - c. These standards shall not apply to vehicles traveling on streets with a posted speed limit greater than 45 miles per hour.
- (9) It shall be unlawful to sound any horn or signal device on any vehicle on any street or highway within the city, except as a danger warning when an emergency exists. It is only lawful to use a horn or signal device as a danger warning for as long as the emergency exists or for a reasonable period of time. Any person using a horn or signal device as a danger warning has the burden of showing that an emergency or crisis did exist.
- (10) It shall be unlawful for any person to install, use or operate on a temporary basis a loudspeaker, any type of sound amplifying device or sound amplifying equipment in a fixed or moveable position or attached to or mounted on any motor vehicle for the purpose of giving instructions, directions, talks, addresses or lectures; or for transmitting music or sound to any person or assemblages of persons for events in areas zoned for commercial use and for government sponsored or co-sponsored

special events intended to serve the community or a neighborhood without first obtaining a permit pursuant to this subsection. Permits may also be issued for any type of events permitted or allowed in a city park. Permitted events in city parks shall not create unreasonable noise as described in (a)(1) above, but are exempt from noise level standards contained in subsection (c), Table A.

- a. An applicant shall provide to the city clerk the following information:
  1. Name, address, and telephone number for both the owner and user of the sound amplifying equipment or device;
  2. The license number of the sound truck or other vehicle to be used (if applicable);
  3. A general description of the sound amplifying equipment or device to be used and verification that the applicant has hired a person certified to use noise metering equipment to be present during the event to monitor the sound amplifying equipment to be used to insure compliance with the noise level standards contained in subsection (c), Table A, herein;
  4. A description of the intended purpose or need for use of the sound amplifying equipment or device; and
  5. The dates, times and locations in which the sound amplifying equipment or device will be used.
- b. A permit shall be issued within five business days by the city clerk on condition that the sound amplifying equipment or device will be operated only between the hours of 7:30 a.m. and 10:00 p.m., only on the dates specified and in compliance with the noise level standards contained in subsection (c), Table A, herein.
- c. If the city has probable cause to believe that the applicant has violated any requirements of this subsection (c)(10) or any other City Code provision, the permit shall be automatically revoked by the Thornton police department.
- d. Entities or organizations that are required to obtain a license from the city to operate pursuant to Chapter 42 of the Code are not eligible for a temporary permit under this subsection (c)(10) as operation of any sound amplification equipment will be regulated in connection with the operational license issued by the city.

(Ord. No. 2550, § 6, 7-12-99; Ord. No. 2953, § 5, 8-8-06; Ord. No. 3080, §§ 1, 2, 12-2-08; Ord. No.

3271, § 2, 10-8-13; Ord. No. 3435, § 1, 5-9-17)

Sec. 38-442. - Glare.

- (a) Exterior and interior lighting in all zoning districts shall be designed and installed so that all direct rays are confined to the site on which the lighting is located and so that adjacent residential properties are protected from glare which is deemed to be a public nuisance.
- (b) The installation or erection of any lighting which simulates, imitates or conflicts with warning signals, emergency signals or traffic signals is prohibited.

(Ord. No. 2550, § 6, 7-12-99)

Sec. 38-443. - Dust.

- (a) It shall be unlawful for property owners or lessees of land within the city to allow the blowing of dust from their property when the blowing of dust may or does cause damage to surrounding property or creates a danger to motor vehicle traffic.
- (b) Persons are required to prevent potential damage from blowing dust by watering and wetting down the area, by installing snow fences or other barriers, or by chiseling the ground.
- (c) A property owner or lessee is required to take corrective measures within 24 hours after the date written notification by the city is sent advising that dust blowing from the property is or is likely to cause damage to surrounding properties.
- (d) In the event the property owner or lessee does not take appropriate action, the city shall have the right to:
  - (1) Enter the property and take whatever corrective actions are determined to be necessary;
  - (2) Assess the property owner or lessee for the actual cost of the dust prevention measures taken, for the purposes of this Section 38-443, property owner shall include any occupant or person in possession of the property; and
  - (3) Assess the property owner or lessee for the costs incurred by the city to enforce collection of the costs of the dust prevention measures, including attorney's fees and court costs under the procedure provided in Section 38-453(b).

(Ord. No. 2550, § 6, 7-12-99)

Sec. 38-444. - Weeds and brush.

- (a) It shall be unlawful for a property owner or lessee to permit weeds and brush to grow to a height exceeding eight inches, for the purposes of this Section 38-444, property owner shall include any occupant or person in possession of the property. Excluded from the prohibitions of this subsection (a) are the following:
- (1) In agricultural districts, weeds other than noxious weeds shall be controlled for a distance of 100 feet from a property line that adjoins another residential or nonresidential district boundary, or along any street right-of-way;
  - (2) In parks and open space districts, only noxious weeds shall be controlled;
  - (3) On lots greater than five acres in size, weeds other than noxious weeds shall be controlled for a distance of 100 feet from the property line of the lot; and
  - (4) Noxious weeds shall be kept below eight inches in height regardless of distance to adjacent properties or rights-of-way.
- (b) A property owner or lessee is required to take corrective measures within ten calendar days after the date written notification by the city is sent advising that weeds or brush has become overgrown and that corrective measures shall be taken. The written notification shall contain a description of the property upon which the violation has occurred and will direct the owner or lessee to correct the violation within the time period provided.
- (c) In the event the property owner or lessee does not take appropriate action, the city shall have the right to:
- (1) Enter the property and take whatever corrective actions are determined to be necessary;
  - (2) Assess the property owner or lessee for the actual cost of the weed or brush control measures taken; and
  - (3) Assess the property owner or lessee for the costs incurred by the city to enforce collection of the costs of the weed or brush control measures, including inspection, attorney's fees and court costs under the procedure provided in Section 38-453(b).

(Ord. No. 2550, § 6, 7-12-99; Ord. No. 3071, § 1, 10-14-08)

Secs. 38-445—38-450. - Reserved.

Sec. 38-451. - Reserved.

**Editor's note**— Ord. No. 2953, § 6, adopted August 8, 2006, repealed § 38-451, which pertained to application for relief and derived from Ord. No. 2550, § 6, adopted July 12, 1999.

Sec. 38-452. - Enforcement.

- (a) The city manager is authorized to adopt and promulgate regulations and procedures deemed necessary for the proper and effective enforcement of the environmental standards contained in Division 3 of this Article X. Such rules, regulations and procedures shall be consistent with the provisions and the standards established in Divisions 3 and 4 of this Article X.
- (b) The operation or maintenance of any environmental condition in violation of any provision which causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health, or peace of residents in the area shall be deemed and is declared to be a public nuisance and may be subject to abatement by a restraining order or injunction issued by a court of competent jurisdiction.
- (c) Where technical complexity or extraordinary expense makes it unreasonable for the city to maintain the personnel or equipment necessary for making difficult or unusual determinations of code violations relating to performance standards in this article, the city may call in properly qualified experts to make the determination. If expert assistance is used, the city shall:
  - (1) Assess the cost of the determination of a violation by an expert against the property owner or lessee responsible for the violation, in addition to other permissible penalties; except
  - (2) If no violation is found, costs of the determination shall be paid by the city without assessment against the properties or persons involved.
- (d) Violation of any regulation for noise or glare, except violations where the noise source is a vehicle, shall be cause for summons and complaint to be issued immediately, except in lieu of a summons and complaint a notice to abate the violation may be issued instead. A notice to abate shall:
  - (1) Be in writing, signed by the city manager;
  - (2) Provide a reasonable amount of time for compliance that is no shorter than 24 hours, or longer than five days;
  - (3)

Be delivered personally or by certified mail to the owner, occupant, or person in charge or control of the machine, device, building or other premises in violation of this article; or

- (4) If unable to be delivered as provided in subsection (d)(3) of this section, be posted in a conspicuous place on the property in violation;
- (5) State:
  - a. "It is hereby declared that failure to reply or to correct the alleged violation to the satisfaction of the city within the time limit set constitutes admission of violation of the terms of the City of Thornton's Environmental Regulations as contained in Article X of Chapter 38 of the Thornton City Code"; and
  - b. That upon request by the person to whom the notice is addressed, technical determination by outside experts may be undertaken, and that the cost of this determination shall be added to other permissible penalties, unless no violation exists, in which case the cost of the determination shall be paid by the city.
- (e) Failure to comply with the order so issued and served shall constitute a violation of this Article X.
- (f) Violation of the noise standards in this Article X where the noise source is a motor vehicle shall be cause for a summons and complaint to be issued immediately. Minimum fines for motor vehicle noise violations are as established by council resolution.
- (g) Compliance certification requires that:
  - (1) The noise violation can be attributed to faulty or defective equipment;
  - (2) The owner has fixed the vehicle prior to the scheduled court appearance;
  - (3) The vehicle has been checked for compliance by a designated city compliance officer; and
  - (4) The vehicle receives compliance certification.

(Ord. No. 2550, § 6, 7-12-99)

Sec. 38-453. - Assessment policy.

- (a)

*Purpose.* The purpose of this section is to provide for a procedure by which the city can enforce the various environmental concerns addressed by this Article X and to establish a policy authorizing the city to take corrective enforcement measures should a landowner fail to voluntarily comply with the provisions of this Article X.

(b) *Policy.*

- (1) Upon the contractor's completing eradication of the violation, a notice of assessment, including the right to a hearing, as set out in subsections (b)(6) and (b)(7) of this section, shall be sent by first class mail, from the city's finance director to the property owner at the address listed for the property owner in the county record and to the property address. If any notice is returned, the property will be posted with such notice.
- (2) For the purpose of this Section 38-453, property owner shall include renters, lessees, occupants or persons in possession of the property.
- (3) The property owner has 30 days from the date the notice of assessment is mailed or if notice is returned, from the date the property is posted to pay the assessment. Failure to pay within the time allotted will cause the assessment to be recorded against the property. The assessment will constitute a continuing lien against such property.
- (4) The amount of the assessment will include, in addition to all contractors' charges, impoundment fees, storage fees, inspection costs, attorneys' fees, court costs, and all other associated costs. The assessment may be paid any time prior to the assessment being turned over to the county treasurer. Payments must be made directly to the city's finance director.
- (5) Unpaid assessments will be filed quarterly with the proper office of the county clerk and recorder's office and annually with the treasury office.
- (6) A property owner may object to such assessment within 30 days from the date the notice of assessment was mailed or if the notice is returned, from the date the property is posted. The objection must be in writing and mailed to and received by the municipal court within the 30-day period. The objection must include a phone number and address of the objecting party, and must state the basis for the objection. Upon receipt of such objection, the city manager will appoint a hearing officer. Such hearing officer will then set a hearing date, which hearing shall be

within 30 days from receipt of the objection. Notice of this date will be mailed to the person making the objection. Failure to include an address in the objection will constitute a waiver of the right to file an objection.

- (7) The property owner who requests the hearing will be charged an additional administrative cost, established by resolution of the city council, should the hearing officer find in favor of the city. Failure of such person to attend the hearing at the date and time scheduled shall constitute a waiver of such right to a hearing and a determination of all issues regarding the assessment.
- (8) The hearing officer shall conduct the hearing in an informal manner and shall not be bound by technical rules of evidence. The city shall carry the burden of establishing there was probable cause to cite for a violation and that a violation did occur. The standard of proof shall be by a preponderance of the evidence. A written decision will be prepared at the end of the hearing. This decision will be reached after both the landowner and the city have presented their cases. The decision will be deemed effective three days from the date the decision is mailed to the property owner as provided in subsection (b)(1).

(Ord. No. 2550, § 6, 7-12-99; Ord. No. 2663, § 8, 4-23-01; Ord. No. 3433, § 3, 5-9-17)

Secs. 38-454, 38-455. - Reserved.